

Filed for intro on 02/10/2003  
SENATE BILL 18 By  
McNally

HOUSE BILL 477  
By Winningham

AN ACT to amend Tennessee Code Annotated, Title 29, Chapter 34, Part 2, relative to tort liability.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, Part 2, is amended by adding the following language as a new, appropriately designated section:

§ 29-34-205.

(a) The general assembly finds and declares that the many services and benefits provided by churches and associations of churches are critical to the education and welfare of the general public and are also critical to the establishment, maintenance and preservation of the public morals of the citizens of this state. Therefore, the citizens of this state must be free to join any church or association of churches without fear or concern for the possibility of tort liability arising from membership in the church or association of churches.

(b) The members of any church or association of churches shall not be liable for any personal injury or damage to property arising from the conduct of the affairs of the church or association of churches.

(c) The general assembly finds and declares that the many services provided by the boards, committees and leadership of churches and church associations are critical to the efficient conduct and management of the public and charitable affairs of the citizens of this state. Therefore, the members of such boards and committees as well as the other leaders of churches and church associations must be free to serve thereon without fear or concern for the possibility of tort liability arising from the discharge of their duties as church or association leaders and policy makers or from the conduct of the affairs of the church or association.

(d) The officers, directors and other leaders, of all descriptions and types, of any church or association of churches shall not be liable for any personal injury or damage to property arising from the discharge of their duties or from the conduct of the affairs of the church or association of churches. However, if any such personal injury or damage to property arises from the willful, wanton or gross negligence of any such officer, director or leader, then such immunity from tort liability shall not extend to such officer, director or leader.

(e) As used in this section, "church" includes all churches, temples, mosques and other religious groups and institutions having the care of souls.

SECTION 2. This act shall take effect July 1, 2003, the public welfare requiring it.